

Deceased Management Advisory Group

Update 12th October 2020

The members of DMAG held a video conference on 12th October, with representatives from the Ministry of Justice (MOJ), Scottish Government (SG) and further representatives from the FBCA & NAFD present for the open part of the meeting. FFMA chaired the meeting.

DMAG Wider Consultation

1. **Ministry of Justice update.**

The MOJ advised they were still waiting for PHE Guidance which could impact the funeral sector in relation to current Regulations. Government clearance on the Guidance is awaited.

The MOJ thanked DMAG members for the information provided in response to their requests on PPE stocks and supplies.

2. **Scottish Government**

SG stated that extra restrictions announced for Scotland did not affect funerals or wakes and numbers remained at 20. The matter of numbers being able to attend ashes scatterings/burials was being further investigated.

In contrast to England, SG Guidance states that those who have tested positive with COVID-19 must not attend funerals.

In England, the Guidance is not so clear and MOJ stated this is because the UK Government would not want to see mourners gaining a conviction and criminal record for attending the funeral of a loved one. Article 8 of the Human Rights Act was quoted.

3. **Health Protection (Coronavirus Restrictions)(Self Isolation)(England) Regulations 2000 effective from 28th September 2020**

FBCA commented that as Crematorium/Cemetery Managers they have a duty of care to all users of their venues as well as their own staff.

He felt the current regulations put people at risk and posed the question: how does a person who is COVID-19 positive travel to the service? Whether public transport, funeral vehicle or family car they will be in contact with others without maintaining social distance, thus causing a risk of infection en route.

With funeral directors employing part time staff who work for other companies the risk is widespread.



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NAFD stated that as it was legal for a positive tested Covid-19 person to attend the funeral and although they might be strongly dissuaded to do so if they are determined to attend, despite other forms of attendance being available, then how does one manage their attendance?

When attending a care home to remove a deceased the funeral director will be aware of the presence of COVID-19 and PPE precautions taken. At present it is not mandatory for a person to advise that they have had a positive test.

SAIF felt the current situation is a backward step. In the early stages of lockdown funeral were being delayed so those in self isolation were able to attend. Now, families are guided to let the funeral proceed with little delay. It is a question of managing the process.

FBCA asked of the legality of the situation and how it interacts with Health & Safety Law? They went on to suggest that DMAG speaks with a united voice so as not to give mixed messages. The real need is for a 'Duty of Disclosure' so the sector is informed of potential difficulties.

NAFD agreed with the single voice recommendation although each of the DMAG members would want to give the best advice suited to their needs. It was asked 'How best to create a COVID secure workplace?'

The APCC had, earlier in the day, circulated a draft letter to various Government Departments raising DMAGs concerns and the effect this could have on capacities. It is felt that Government and PHE do not see the worst case scenario if funeral sector staff get infected. This could affect the working practices of funeral homes, crematoria and cemeteries.

FBCA considered the age of many mourners who could be vulnerable.

ICCM told of how a variety of responses had been received from their members. It has already been noted that a Crematorium in the North West was considering closing and some Local Authorities were seeking their own legal advice.

SAIF reported that calls had been received from members who were quite anxious over the situation.

NAFD talked of how funerals are not the only sector affected by these Regulations and asked we consider how supermarkets and the court service were dealing with the situation.



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Following lengthy discussion it was decided that, while PHE Guidance was still awaited an amended form of the APCC letter be sent to Government Ministers.

It was further reiterated by the NAFD that we should push for a 'Duty of Disclosure'.

DMAG closed meeting

1. Notes from previous meeting.

The notes of the previous meeting were agreed, and these can now be placed on the DMAG website.

2. Items for future meetings with Cabinet Office/Devolved Governments.

In relation to the three tier lockdown system which is being introduced, clarity is required over the numbers who are allowed to attend funerals/wakes/ceremonial gatherings. At present it is stated as 30/15 across all tiers.

3. AOB Round Robin.

APCC advised that during their online review with the CMA later this week they will be asking that they take note of trends in the funeral market and how these are changing.

APCC to chair the next meeting – Thursday 15th October 2020.

